

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

**SARA ALI and DANIEL ALI,** )

**Plaintiffs,** )

**CASE NO.: 1:12-cv-00115-GBL-TRJ**

**v.** )

**ALLERGAN USA, INC.,** )

**Defendant.** )

**PLAINTIFFS' PROPOSED DISCOVERY PLAN**

The Plaintiffs, SARA ALI and DANIEL ALI, by and through undersigned counsel, respectfully submit the following Proposed Rule 26(f) Discovery Plan in accordance with this Court's scheduling Order dated February 17, 2012:

**I. CONFERENCES OF PARTIES:**

Pursuant to Fed. R. Civ. P. 26(f), Local Rule 26(A)(1) and Order of this Court dated February 17, 2012, the parties discussed the matters required to be addressed pursuant to Fed. R. Civ. P. 26(f), but were not able to reach an agreement on the issues.

**II. INITIAL DISCLOSURES:**

The parties have agreed to make their initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before March 13, 2012.

III. DISCOVERY PLAN:

The scope of discovery shall be limited to those topics permissible under Fed. R. Civ. P. 26(b). Plaintiff proposes the following discovery plan:

1. On or before March 6, 2012, Plaintiffs shall provide Defendant (i) signed authorizations for release of the medical records held by the providers identified in Plaintiff's Complaint and (ii) information regarding the location and/or existence of Sara Ali's explanted LAP-BAND.

2. If Defendant anticipates that a Protective Order will be necessary prior to the exchange of any fact discovery, documentation or witness custodial files, the Defendant shall provide Plaintiff with a Protective Order on or before March 15, 2012. If Plaintiff disagrees and/or has proposed changes, the parties will confer. If the parties cannot agree to proposed changes by March 29, 2012, the Defendants will seek leave of Court to file a Protective Order. Plaintiff suggests the following briefing schedule:

- a. Defendant's motion: March 30, 2012
- b. Plaintiff's opposition: April 6, 2012
- c. Defendant's reply: April 11, 2012
- d. Hearing on such motion: April 13, 2012

3. No later than ten (10) days before each defendant's deposition, Defendant to provide Plaintiff with a copy of the witnesses' custodial file.

5. Expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) will be due according to the following schedule:

- a. Plaintiff's Expert Disclosure: May 11, 2012
- b. Defendant's Expert Disclosure: May 25, 2012

c. Rebuttal Expert Disclosure: June 1, 2012

6. The parties agree that, pursuant to the Court's Order of February 17, 2012, all fact and expert discovery, including depositions, shall be completed by June 15, 2012.

IV. OTHER MATTERS:

A. The parties do not wish to proceed to trial before a Magistrate Judge.

B. The parties will be in a better position to discuss settlement after the close of discovery. Parties understand that a settlement conference may be requested at any time in the case.

I. FINAL PRETRIAL CONFERENCE.

A final pretrial conference shall be held on Monday, June 18, 2012, at 2:00 p.m.

Dated: March 2, 2012

/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of March, 2012, I am electronically filing the foregoing with the Clerk of the Court through the Court's CM/ECF system, which will then send a Notification of Electronic Filing (NEF) to counsel of record, including the following counsel:

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